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#### Approved for use through 10/31/2002 Ding to E1 0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE a collection of information unless it displays a valid OMB control auch a plus sign (+) inside this box + Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/700,293 **Application Number** TRANSMITTAL November 13, 2000 **Filing Date FORM** Ruelle, Jean-Louis First Named Inventor **Group Art Unit** (to be used for all correspondence after initial filing) 1645 Fields, I.P. **Examiner Name** BM45321 **Attorney Docket Number** Total Number of Pages in This Submission **ENCLOSURES** (check all that apply) After Allowance Communication **Assignment Papers** Fee Transmittal Form (for an Application) to Group **Appeal Communication to Board** Fee Attached Drawing(s) of Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) **Petition** After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application **Status Letter** Power of Automey, Revocation Change of Correspondence Other Enclosure(s) (please **Extension of Time Request** Address identify below): Return Postcard Terminal Disdaimer **Express Abandonment Request** Request for Refund Information Disclosure Statement CD, Number of CD(s)\_ **Certified Copy of Priority** Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Teresa O. Bittenbender, Reg. #47, 425 Firm OF Individual name Signature Date July 17, 2002 **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 200 b Teresa O. Bittenbender Typed or printed name

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July 17, 2002

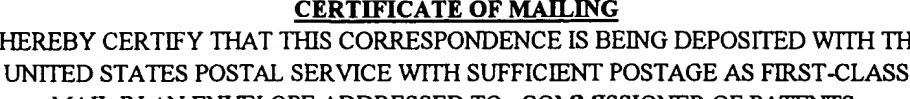
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Serial No.: 09/700,293 Group Art Unit: 1645

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ATTORNEY FOR APPLICANT

Attorney Docket No. BM45321

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ruelle, Jean-Louis

Serial No.: 09/700,293

Filed: November 13, 2000

Examiner: Fields, I.P. For: BASB029 Polynucleotide(s) and Polypeptides From Neisseria Meningitidis

Commissioner of Patents Washington, D.C. 20231

### RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Sir:

This Response to Restriction Requirement and Preliminary Amendment (herein after referred to as "Response and Amendment") is responsive to the Office Communication mailed July 1, 2002 (Paper No. 8) (herein referred to as "Office Action"). Applicants respectfully request entry of this Response and Preliminary Amendment.

This Response and Preliminary Amendment is timely filed. Should this Response and Amendment not be considered timely filed, Applicants hereby request a retroactive extension of time to file for the number of months required to maintain pendancy of the Application. If an Extension is deemed necessary, please consider this Paper to comprise a Petition for such an Extension and authorization to charge Deposit Account No. 50-0258 for the associated fees.

### In the Claims:

Please cancel claims 26-59. Please amend the claims to read as follows (detail of claim amendments included herewith):

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